

FILED 06 MAY 31 15:59 USDC-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

WAYDE LYNN KURT,)	
)	Civil No. 06-726-MO
Petitioner,)	
)	
v.)	
)	ORDER
CHARLES DANIELS,)	
)	
Respondent.)	
_____)	

MOSMAN, District Judge.

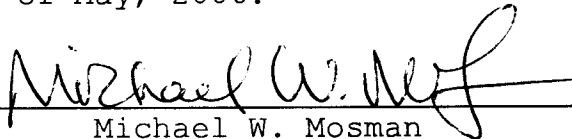
Petitioner moves the court for a temporary restraining order enjoining respondent from transferring him to any other Bureau of Prisons facility pending the resolution of this habeas corpus action.

Pursuant to Fed. R. Civ. P. 65(b)(2), the court may issue a temporary restraining order without notice to the adverse party or that party's attorney only if the applicant "certifies to the court in writing the efforts, if any, which have been made to give the notice and the reasons supporting the claim that notice should not

be required." Petitioner's Motion for Temporary Restraining Order does not contain a certificate of service, and hh has not identified the efforts he has made to give notice to respondent. Accordingly, petitioner's Motion for Temporary Restraining Order (#2) is DENIED.

IT IS SO ORDERED.

DATED this 31 day of May, 2006.



Michael W. Mosman
United States District Judge